



10-05-04

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Attorney Docket No. 14364US21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 10/822,462

Filing Date: April 12, 2004

Patent Application Of:

Joseph J. Kubler, et al.

Group Art Unit : 2681

Confirmation No. 4632

For: HIERARCHICAL DATA
COLLECTION NETWORK
SUPPORTING PACKETIZED
VOICE COMMUNICATIONS
AMONG WIRELESS TERMINALS
AND TELEPHONES

CERTIFICATE OF MAILING

I hereby certify that this paper is being
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Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on

October 4, 2004

Kevin E. Borg

Kevin E. Borg
Registration No. 51,486
Agent for Applicants

PETITION UNDER 37 C.F.R. §1.182
RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.53, Applicant's representative respectfully petitions for acceptance
of this submission of page 122 of the non-provisional patent application referenced above (the

10/07/2004 RMEBRAHT 00000054 10822462

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“Application”), in response to the Notice to File Corrected Application Papers (the “Notice”), mailed August 5, 2004, a copy of which is attached. A copy of page 122 is also enclosed.

Applicant’s representative respectfully submits that page 122 of the Application is identical to page 122 of United States Patent Application Serial No. 10/141,506 filed May 8, 2002, (Attorney Docket Nos. 14364US01 and DN37998XGB), the complete subject matter of which is incorporated by reference by the Application. The incorporation by reference may be found in the section labeled “CROSS-REFERENCE TO RELATED APPLICATIONS”, on page 2 of the Preliminary Amendment as filed with the Application on April 12, 2004. For the convenience of the USPTO, we have enclosed a copy of page 2 of the Preliminary Amendment filed with the Application on April 12, 2004, and a copy of page 122 from United States Patent Application Serial No. 10/141,506. Applicant submits that the enclosed copy of page 122 is identical to that found in the incorporated application, that no new matter is being added, and that a supplemental oath or declaration is, therefore, not required.

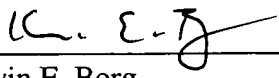
The Applicant has also enclosed a substitute Specification and replacement drawings as request by the Notice. The Applicant submits that the enclosed Specification and drawings are identical to that found in the incorporated application, that no new matter is being added, and that a supplemental oath or declaration is, therefore, not required.

In accordance with 37 CFR 1.17(h) a check for \$130.00 is enclosed to cover the petition fee. If any other fees are due as a result of filing this petition, the Commissioner is hereby

authorized to charge any fees associated with the filing of this petition, or deposit any overcharge and refunds, to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Date: October 4, 2004



Kevin E. Borg
Registration No. 51,486
Agent for Applicants

McANDREWS, HELD & MALLOY, LTD.
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Chicago, Illinois 60661
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IN THE SPECIFICATION

Cancel the section "CROSS-REFERENCE TO RELATED APPLICATIONS" and substitute therefore the following new section:

CROSS-REFERENCE TO RELATED APPLICATIONS (Claiming Benefit Under 35 U.S.C.)

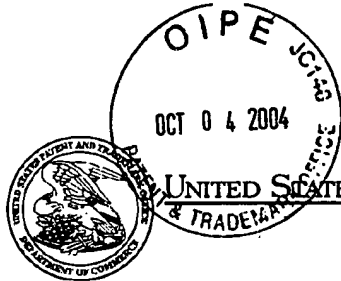
This application is a continuation of U.S. Serial No. 10/141,506 filed May 8, 2002, (Attorney Docket Nos. 14364US01 and DN37998XGB) which is a continuation of U.S. Serial No. 09/037,535 filed March 10, 1998, now U.S. Patent No. 6,389,010 issued May 14, 2002, which is a continuation of U.S. Serial No. 08/539,817 filed October 5, 1995, now U.S. Patent No. 5,726,984 issued March 10, 1998.

This application hereby incorporates herein by reference, the complete subject matter of each of the above referenced applications, in their entirety.

After the section "CROSS-REFERENCE TO RELATED APPLICATIONS" insert the following new section:

STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT

N/A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,462	04/12/2004	Joseph J. Kubler	14364US21

23446
 MCANDREWS HELD & MALLOY, LTD
 500 WEST MADISON STREET
 SUITE 3400
 CHICAGO, IL 60661

CONFIRMATION NO. 4632

FORMALITIES LETTER



OC00000013441660

Date Mailed: 08/05/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 189-330 are not in compliance with 37 CFR 1.52(a).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) all drawing.

The following item(s) appear to have been omitted from the application:

- Page(s) 122 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and

Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE

eliminate compatibility between devices manufactured by different suppliers. This has hindered development of uniform standards for Electronic Data Interchange between portable devices and fixed computing systems.

5 Physical connection between a portable device with a peripheral or communication dock also hinders user efficiency. Peripheral devices are generally attached with cable. If a peripheral is small enough to be carried or worn on a belt, the mobility of the user may be maintained.

10 If a user must carry a hand-held portable device that is connected to a belt mounted peripheral, the assembly cannot be set down while a task that requires movement to a location several feet away is undertaken unless the portable device and peripheral are disconnected. Likewise,

15 connection to peripherals too large to be portable requires the user to frequently connect and disconnect the device and the peripheral.

 Use of wireless peripheral LAN interconnection greatly simplifies the task of portable devices communicating with

20 peripherals. In doing so, wireless connectivity allows improved ergonomics in portable product design, flexibility in interconnection to one or more peripherals, freedom of